MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF SAN LUIS OBISPO AND THE COUNTY OF SAN LUIS OBISPO REGARDING THE CITY'S SPHERE OF INFLUENCE

T1	his Agreement between the City of San L	Luis Obispo	o (hereafter	"City") ar	nd the	County
San Luis	Obispo County (hereafter "County") is e	ntered into	by the Cit	y on this _	6 th	day of
Septembe	er, 2016, and by the County on this _	20 th	day of	September	20	16.

WITNESSETH

WHEREAS, the Cortese/Knox/Hertzberg Act of 2000 ("the Act") requires the Local Agency Formation Commission (LAFCO) to update the Spheres of Influence for all applicable jurisdictions in the County every five years, as needed; and

WHEREAS, a Sphere of Influence is defined by the California Government Code 56076 as a plan for the probable physical boundaries and service area of a local agency; and

WHEREAS, pursuant to Government Code 56425 the Sphere of Influence has been identified by the County of San Luis Obispo and the City of San Luis Obispo as shown in Exhibit A; and

WHEREAS, the Act further requires that a Municipal Service Review be completed prior to or, in conjunction with, the update of a Sphere of Influence in accordance with Section 56430 of the California Government Code as a means of identifying and evaluating public services provided by the City of San Luis Obispo and changes to the City's Sphere of Influence; and

WHEREAS, a Municipal Service Review as stated above has been completed and shall be considered by LAFCO when establishing the City's Sphere of Influence; and

WHEREAS, the City and County have reached agreement regarding the boundaries (Exhibit A), development standards, and zoning requirements (Exhibit B) of the Sphere of Influence to ensure the orderly and logical development of these areas; and

WHEREAS, the City's General Plan provides a clear policy base for growth and development in the Sphere of Influence areas and defines policies and programs that the City

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will implement to ensure the preservation of the agricultural land, open space and the rural character of San Luis Obispo; and

WHEREAS, the County's General Plan goals in Framework for Planning and the San Luis Obispo Area Plan call for Community Separators to provide for a community's distinctive identity and preserve the rural character of the areas between and on the fringes of communities and cities; and

WHEREAS, the City and County intend to cooperate regarding growth and development on the urban fringe of the City and in the referral area shown in Exhibit C; and

WHEREAS, LAFCO is required by Government Code 56425 (b) to give great weight to this agreement in making the final determination regarding the City's Sphere of Influence.

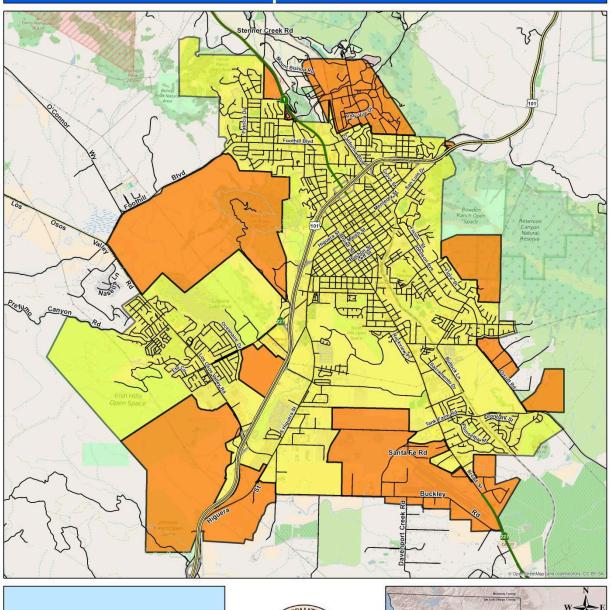
NOW, THEREFORE, be it resolved that the parties agree as follows:

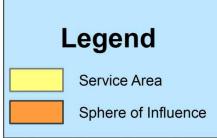
- 1. The Sphere of Influence boundary contained in Exhibit A provides for the orderly and logical growth for the City of San Luis Obispo and represents a potential 20-year growth boundary (2015-2035) based on available information.
- 2. The development standards and zoning requirements contained in Exhibit B provide a framework for completing updates to the General Plans of both the City and the County for the areas in the Sphere of Influence.
- 3. The development standards and zoning requirements contained in Exhibit B are intended to provide the City and the County with the basis for developing specific land use policies and standards for the areas in the City of San Luis Obispo Sphere of Influence and do not supersede or limit the planning or environmental review process of either jurisdiction.
- 4. The City's and County's General Plan policies including those found in Exhibits D and E shall be used to guide the logical and orderly development of these Sphere Areas while preserving agricultural and open space lands.

Mayor, City of San Luis Obispo APPROVED AS TO FORM AND LEGAL EFFECT: City Attorney Dated: City Clerk Dated:			
City Attorney Dated: ATTEST: City Clerk	Mayor, City of San Luis Obispo	_	
City Attorney Dated: ATTEST: City Clerk	APPROVED AS TO FORM AND	LEGAL EFFECT:	
Dated: ATTEST: City Clerk			
ATTEST: City Clerk			
City Clerk	Dated:	-	
City Clerk	ATTEST:		
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EXHIBIT A SPHERE OF INFLUENCE BOUNDARY MAP

City of San Luis Obispo City Limits & Sphere of Influence April 2016







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EXHIBIT B

DEVELOPMENT STANDARDS AND ZONING REQUIREMENTS

The following development standards and zoning requirements are agreed to and shall be used by the City of San Luis Obispo and the County of San Luis Obispo to develop specific land use policies and standards within the proposed Sphere of Influence as shown in Exhibit A and to update their General Plans.

- 1. **Intent.** It is the intent of the County and the City to work cooperatively towards the goal of developing the agreed upon Sphere of Influence (as shown in Exhibit A) in an orderly and logical manner consistent with the Cortese/Knox/Hertzberg Act, the City and County General Plans, the California Environmental Quality Act and any other applicable laws and regulations.
- 2. Impact Mitigation. In evaluating any development, the agency considering approval (City or County) should rely solely on its ability to provide the required services to that development. The City and the County shall not presume any services will be provided by the other agency without documenting that such services will be provided.

Development/mitigation fees needed to offset the impacts from projects approved by either jurisdiction in the Referral Area (Exhibit C) shall be collected and distributed in a fair and equitable manner. These fees shall be paid to the City and/or the County in proportion to the location and degree of project impacts; however the total fees paid shall not exceed the cost to mitigate the specific project impact. Mitigation to offset significant impacts to fire, law enforcement, emergency medical services, water and wastewater treatment services, roads and streets, other public services, and housing, shall be incorporated into the conditions of approval for projects on a case by case basis. Documentation shall be provided that identifies the project's fiscal, infrastructure, housing, and services impacts to both the City and the County and shall be considered as part of the development review process. The documentation shall be used to prepare conditions of approval and to allocate impact fees where allowable and as appropriate.

3. **Regional Circulation.** The City and County shall work together to improve regional circulation such that future growth should provide for an improved circulation system that would promote maximum connectivity between different parts of the City by

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planning for and/or constructing new roads, walkways, bike paths, transit facilities, or other means based on Vehicle Miles Travel (VMT) data; cost sharing agreements associated with the future development of City's Capital Improvement Projects (CIPs) that have regional circulation benefits. These regional circulation improvements may include, but are not limited to, improvements to Highway 227, Prado Road overcrossing, widening of Tank Farm Road, the LOVR traffic relief project, etc. Associated fiscal impacts and appropriate mitigation measures for development on the fringe shall be given special attention.

- 4. **Fire and Law Enforcement Services.** Costs associated with fire and emergency response services shall be given special attention. The County and City Planning Staff shall meet with the City's Police and Fire Chief and the County Sheriff and Fire Department Chief regarding development in the unincorporated areas that would impact the fire and emergency response service levels including those services to open space and trails. The purpose of this meeting is to identify and discuss fiscal and resource impacts of development related to fire and emergency services, service delivery impacts of development on the fringe, and appropriate mitigation measures.
- 5. **Interagency Cooperation.** The City and the County shall work cooperatively to plan for future land uses and public services and facilities to improve and maintain area circulation connections, and to preserve agricultural land and open space. The County and City will consider the creation and implementation of various assessment and financing mechanisms for the construction and maintenance of public improvements, such as roads, utilities, recreation and trail improvements, parks and open space, and similar improvements that could serve visitors and residents of the City and the County. Discretionary development projects and General Plan Amendments within each agency's jurisdiction shall be referred to the other for review and comment prior to action on a development proposal. The County shall seek the City's comments regarding these projects in the referral area map found in the County's San Luis Obispo Area Plan (Exhibit C). The City shall seek the County's comments regarding projects that affect the unincorporated area found in Exhibit C. Face to face meetings are encouraged for any high-level projects to ensure the goals of each agency are being met. When a discretionary project application is accepted for processing, it shall be referred to the following contact person(s) for early review and comment:

Deputy Director,
Permitting & Policies and Programs
County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Deputy Director, Long Range Planning City of San Luis Obispo Community Development Department 990 Palm Street San Luis Obispo, CA 93401-3249

This provision shall not supersede other methods of commenting or providing feedback regarding a proposal or project.

- 6. **Sphere of Influence.** The County shall, to the extent legally possible, limit development within the City's Sphere of Influence (SOI) to those uses allowed by the County General Plan. The County shall give the great weight to the City's General Plan policies when reviewing development in the City's Sphere of Influence.
 - **a. City Review.** For projects submitted to the County for consideration, as part of the pre-application meetings and as part of processing the application, the County shall request written documentation that indicates the City Council's position regarding annexation into the City. This documentation shall be provided by the City in a timely manner that does not delay the County's processing of the land use application. During this time, the County shall continue to process the land use application as required under the law.
 - **b. Development Review Coordination.** Larger regional projects proposed within the referral area shown in Exhibit C, and subject to an Initial Study under CEQA, shall cause on a case-by-case basis the City and County representatives to request a meeting prior to completion of the Initial Study. The purpose would be to discuss the City's and County's General Plan policies with regard to the project and to identify any key issues that may need special attention during the CEQA process.
- 7. **Agriculture and Open Space.** The City and the County shall work together to preserve the agricultural and open space resources in the SOI area using the City's Greenbelt and Open Space policies, the County's Agriculture and Open Space Policies including the transfer development credit program or other programs as appropriate. The criteria contained in the County's Agriculture and Open Space Element, listed in Exhibit D, and the pertinent policies in the City's General Plan (Exhibit E), shall be addressed in the preparation of any land use entitlements and

Environmental Impact Reports. Impacts that are not deemed substantial or do not create a significant change to the protection of agricultural and/or open space may not need to be addressed in the EIR.

- 8. **EnergyWise Plan.** The City and the County shall work together to implement the EnergyWise Plan (EWP) adopted by the County in order to implement the goals established by the Conservation and Open Space Element of the County's General Plan to decrease energy use, increase renewable energy generation, reduce solid waste generation, improve efficient use of water, modernize transportation systems, and improve agricultural practices. The criteria contained in the County's Open Space Element, and the pertinent policies in the City's General Plan (Exhibit E), shall be addressed in the preparation of any land use entitlements and Environmental Impact Reports.
- 9. **General Plan Amendment.** The City intends to complete environmental review, prezoning, pre-annexation, and any necessary pre-general plan amendment activities prior to or concurrent with an annexation proposal being processed by LAFCO. The County intends to complete any necessary amendments to its General Plan in the San Luis Obispo Area Plan to reflect the annexation of territory to the City of San Luis Obispo.
- 10. **Zoning Requirements/Specific Plan.** Prior to annexation, the City shall complete pre-zoning and environmental review consistent with its General Plan. CEQA review shall include analysis of issues, including but not limited to the following: a reliable and adequate water supply, sewer capacity, public services, cumulative traffic circulation, agricultural buffers, jobs-housing balance, use of transfer development credits, and affordable housing opportunities.

EXHIBIT C
SAN LUIS OBISPO AREA PLAN - PROJECT REFERRAL MAP

Referral Area TURRIPO

EXHIBIT D

COUNTY'S GROWTH POLICIES: AGRICULTURAL ELEMENT; CONSERVATION OPEN SPACE ELEMENT; & ENERGYWISE PLAN

Agricultural Element

Policy #4: Agricultural Use of Small Parcels

Policy #14: Agricultural Preserve Program

Policy #15: Transfer of Development Credits (TDC)

Policy #16: Agricultural Land Conservation Programs

Policy #17: Agricultural Buffers

Policy #24: Conversion of Agricultural Land

Policy #25: Unique or Sensitive Habitat

Conservation and Open Space Element

Policy #OS1.1: Future Open Space Protection

Policy #OS1.4: Retention of Public Lands for Open Space

Policy #OS1.7: Open Space Resource Protection

Policy #OS2.1: Open Space Management to Protect, Sustain and Restore

Policy #OS4.1: Define Urban Areas to Prevent Sprawl

Policy #OS4.2: Maintain Community Separators

Goal E1: Sustainable Supply of Energy for all County Residents

Goal E3: Promote Energy Efficiency and Conservation

AGRICULTURAL RESOURCES

AGP4: Agricultural Use of Small Parcels.

a. Encourage the establishment of small-scale agriculture uses, specialty crops, and specialized animal facilities on existing small land parcels in the Agriculture land-use category.

Discussion: The purpose of this policy is to encourage agricultural uses and discourage rural residences as the principal use on existing small agriculturally-zoned parcels. The Land Use Element and Land Use Ordinance already recognize and encourage these uses as appropriate and allowable uses in the Agriculture land use category. This will encourage the best use of agricultural land and will help minimize conflicts with surrounding agricultural uses and agriculturally-zoned parcels.

Implementation: In order to better make people aware of the benefits of locating operations devoted to specialty crops and specialized animal facilities (as defined in the LUE and LUO) in agricultural areas of the county, the Agriculture Department, the Department of Planning and Building, and agricultural organizations and agencies should advise existing and prospective owners of smaller agricultural properties about the benefits of locating these uses on properties designated Agriculture, rather than in residential areas where land is likely to be more expensive and land use conflicts are more likely to occur between the agricultural activities and residential neighbors. This policy is to be implemented through day-to-day public contact with persons who desire to establish small-scale agricultural specialty uses on property they already own or are considering for purchase.

AGP14: Agricultural Preserve Program.

a. Encourage eligible property owners to participate in the county's agricultural preserve program.

Discussion: Through 1995, cropland and grazing lands involved approximately 1,160,400 acres (including acreage in the Conservation and Reserve Program) or 55 percent of the total county area (2,122,240 acres) and accounted for approximately 74 percent of privately-owned lands in the county. The agricultural preserve program continues to be the primary program for long-term protection of agricultural land in the county. A Land Conservation Act (Williamson Act) contract provides tax incentives for land owners to participate in the program in exchange for agreeing to keep their properties in large parcels and in agricultural uses for minimum terms of 10 or 20 years, depending on property location. A contract reduces property taxes to reflect the production value of agricultural land, thereby promoting long-term agricultural use.

The county has a strong agricultural preserve program. Between 1980 and January 1, 1998, approximately 109,200 acres have been added to the contracted lands. However, there has still been pressure to convert agricultural land to non-agricultural use. Since adoption of the Land Use Element/Land Use Ordinance system in 1980, over 3,000 acres of land have been rezoned from the Agriculture category to non-agricultural land use categories in the unincorporated areas of the county.

The pressure for conversion can also be seen in statistics compiled by the California Department of Conservation, the agency that oversees the state's Williamson Act

program. Those statistics show that while the county had approximately 769,200 acres under Williamson Act contract as of January 1, 1998, notices of non-renewal are filed on approximately 8,000 acres of these contracted lands.

The county should continue to support incentives to encourage land owners to participate in the agricultural preserve program. These incentives can include such things as the continued subsidization of application processing fees for new agricultural preserves, as well as timely processing of land use permit applications for agriculturally-related development on lands under agricultural preserve contracts. Detailed policies to maintain and strengthen the agricultural preserve program are described in the county "Rules of Procedure to Implement the California Land Conservation Act of 1965," as adopted by the Board of Supervisors.

The state legislature has also recognized that additional incentives are needed to expand options for landowners who wish to gain longer term farmland protection than otherwise available through a conventional Williamson Act contract. Amendments to the Land Conservation Act in 1998, added a new option called a "farmland security zone." Under this amendment to the Act, land owners may voluntarily rescind an existing contract in order to simultaneously enter into a new contract designating the property as a farmland security zone. The term of the contract shall be not less than 20 years, with an automatic annual one year extension of the initial term unless a notice of nonrenewal is filed by the owner.

Lands covered by a contract in a farmland security zone will receive additional protection through tax valuation provisions in the Revenue and Taxation Code, application at a reduced rate of any special tax approved by the voters for urban-related services, limitations on the annexation of lands under such a designation and contract to a city or special district, and a prohibition against a school district declaring local zoning regulations inapplicable to lands to be used or acquired by the district. The county should amend its Rules of Procedure to incorporate this legislation, inform holders of existing Williamson Act contracts of this new option and assist any interested owners in applying it to their land.

In another tax-related matter, family farmers should be made aware of the opportunity to measurably reduce federal death taxes by electing to use Internal Revenue Service Section 2032A (Special Use Valuation). A summary of qualifications for that section is included in the county Rules of Procedure referenced above

Implementation:

- 1. As an incentive for land owners to participate in the agricultural preserve program, the county should continue to provide a subsidy to the application filing fees for processing applications to establish agricultural preserves. In addition, the Department of Planning and Building shall provide timely processing of land use permit applications for agriculturally related development on land subject to Williamson Act contract. Timeframe: Ongoing.
- 2. The County Agricultural Preserve Review Committee should consider, and recommend to the Board of Supervisors, proposed amendments to the county Rules of Procedure to incorporate recent changes to the Land Conservation Act (Williamson Act) that provide for the creation of "farm security zones," and

recommended procedures by which a landowner may voluntarily enter into a new contract designating the property in such a zone.

Timeframe: 12 months from plan adoption.

AGP 15: Transfer of Development Credits (TDC).

a. Continue to utilize a voluntary TDC program to help protect agricultural resources by guiding development to more suitable areas.

Discussion: The adopted TDC program is applicable in the inland areas of the county, not in the coastal zone. As noted in Framework for Planning of the LUE, a TDC program is a planning tool that "...allows the right to develop (called credits) to be separated from one site (the sending site) and moved to another (the receiving site). The transfer of the credits reduces the development possible on the sending site and increases the development possible on the receiving site." The program is "...voluntary, incentive-based, and market-driven between willing sellers and willing buyers. Land owners are not obligated to use this technique to request an amendment to the general plan or to subdivide property in conformance with existing regulations."

Framework for Planning contains an important statement about the objectives of the TDC program, as follows:

"The primary purpose of the TDC program is to promote appropriate settlement patterns while maintaining an overall level of development within the service capacities of transportation and other public service systems. As a countywide program it endeavors to: protect both land with agricultural capability and the business of agriculture itself; reduce development potential within land divisions or other areas that do not have adequate services for residents; protect important or extraordinary natural areas, habitats or cultural resources; reduce development potential in areas that may have the potential for landslides, fires, or other hazards; and reduce air quality impacts associated with locating residential development distant from jobs, schools, shopping and recreation."

The TDC program can be an effective way to direct growth and development away from agricultural areas, thereby reducing potential conflicts with agricultural activities. This voluntary program can also help the owner of agricultural lands achieve the value of the potential development without having to sell the property or otherwise develop it. Use of the TDC program may also offer potential tax benefits to the property owners, but that will depend on the circumstances of each ownership.

The TDC ordinance is adopted in the Land Use Ordinance which sets out the procedures and standards for its use. The county should continue to encourage landowners to consider using the TDC ordinance as another available tool to meeting their needs. Amendments should also be proposed to the Local Coastal Plan that would allow the use of TDC's in the coastal zone.

Implementation:

- 1. Ongoing through the voluntary action of land owners.
- 2. Prepare proposed amendments to the LCP that would add the voluntary TDC program as an available land use tool in the coastal zone.

Timeframe: 18 months from plan adoption.

AGP16: Agricultural Land Conservation Programs.

- a. Encourage and support efforts by non-profit and other conservation organizations to protect agricultural lands and maintain agricultural production.
- b. Consider establishing a limited county program to acquire conservation easements or development rights from willing land owners. Such programs should encourage maximum flexibility for agricultural operations.

Discussion: There are a number of organizations active in farmland protection programs. Private non-profit conservation organizations include the San Luis Obispo Land Conservancy, The Nature Conservancy, and the American Farmland Trust.

The San Luis Obispo Land Conservancy provides assistance to land owners interested in protecting agricultural, aesthetic and ecological values on their land. They offer counseling and assistance in establishing conservation easements, transfer of development credits, estate donation, and other conservation programs.

The American Farmland Trust (AFT) is a national organization dedicated to the conservation of productive farmland. AFT increases public awareness of agricultural issues, provides technical assistance to government agencies and private organizations, and engages in individual farmland conservation real estate transactions.

The Coastal Conservancy is a state agency also actively engaged in farmland preservation programs in California coastal counties. The Coastal Conservancy has been active in San Luis Obispo County, working on projects with incorporated cities, as well as in the unincorporated areas of the county.

In 1998, the county was successful in securing a grant from the Agricultural Land Stewardship Program (see discussion in chapter 1) to assist in the investigation of the potential impacts of antiquated subdivisions on areas of intensifying agriculture. The grant funding will enable the compilation of a database of the antiquated subdivisions in areas of the county where agricultural intensification is occurring, especially vineyards, so as to assess the potential impact to agriculture if the underlying lots are developed with non-agricultural uses. When completed, that evaluation should help provide further direction to the goals and policies of this general plan element, as well as to the Land Use Element. The county should continue to actively pursue participation in this grant program as future funds become available to address agricultural issues.

The following acquisition strategies are examples of some of the measures that could be carried out by conservation organizations or by the county. In all cases they should be accomplished between willing buyers and sellers. In those limited instances where the County may be an active participant, the primary focus of these strategies should be on purchase of easements and development rights, rather than the outright purchase of agricultural lands. While any of the potential programs could have costs and operational concerns, there may be some limited application in appropriate circumstances, although public purchase may be the most problematic due to limited public funds.

The following strategies are not an all-inclusive list and other creative methods will need to be developed and implemented over time.

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Purchase of Development Rights and Conservation Easements. The purchase of development rights (PDR) from a willing seller retires development potential through deed restrictions, leaving land owners all other rights of ownership except the right to sell homesites or to establish other types of development, for which the rights have voluntarily been extinguished. Land owners may receive income and estate tax benefits, in addition to protecting local agricultural areas from conversion to other uses. However, there could also be tax penalties due to capital gains tax.

Land owners can also choose to enter into conservation easements to protect agricultural land. A "Bargain Sale Conservation Easement" allows the land owner to receive cash income, but provides a way to offset increased capital gains tax.

Purchase and Resale or Lease with Restrictions. This strategy involves purchasing land and placing restrictions on its use and development. The land is then resold at a reduced market price that reflects the land use restrictions. The end result is equivalent to purchase of development rights. This concept may be more appropriate for entities other than the County to enter into.

Fee Simple Purchase and Lease-Back. This strategy protects farmland through outright purchase. Both real property and estate tax problems can be solved for farmers who sell their land to a public agency or conservation organization. Fee simple purchase can be very costly. This strategy should be considered the lowest priority by the County and may be most appropriate for other conservation organizations to pursue.

Long-term Conservation Lease. Where agricultural lands also contain open space resources that are worthy of protection, such as riparian habitat, scenic qualities, etc., but the land owner is not interested in selling the property or the development rights, an alternate approach may be to enter into long-term conservation leases. Similar to the provisions of a Williamson Act contract, such a lease could offer protection of the resources for an extended period of time, while also offering the property owner a revenue stream that will enable maintenance of the agricultural activities. The lease could be held by a conservation organization, with the term of the lease automatically renewed annually for another year similar to a Williamson Act contract. This, and other creative methods of resource conservation, should be explored more fully.

Implementation:

1. The Department of Planning and Building, in cooperation with the county Agriculture Department and U.C. Cooperative Extension, should assist agricultural and conservation organizations in developing and implementing programs to conserve agricultural land. The agencies should prepare a public information brochure for distribution to the agricultural community making them aware of the advantages of participating in such programs.

Timeframe: 12 months from plan adoption.

2. In cooperation and coordination with conservation organizations and other jurisdictions, the county should explore the possibility of establishing a program to protect agricultural lands by purchasing development rights and conservation easements from willing sellers, by offering long-term conservation easements, or through other innovative programs.

Timeframe: To be determined by Board of Supervisors after plan adoption.

3. The County should actively pursue grant funds under provisions of the Agricultural Land Stewardship Program Act of 1995, to assist with the implementation measures contained in this Agriculture Element. Timeframe: Ongoing after plan adoption.

AGP17: Agricultural Buffers. a. Protect land designated Agriculture and other lands in production agriculture by using natural or man-made buffers where adjacent to non-agricultural land uses in accordance with the agricultural buffer policies adopted by the Board of Supervisor (see Appendix C).

Discussion: New residential and other non-agricultural uses that are proposed adjacent to agricultural land or uses may result in land use conflicts. Residential and other non-agricultural uses can be adversely affected by odors, noise, dust and pesticide use. Farmers and ranchers are affected by resident complaints and lawsuits, pilferage of vegetables and fruits, increased incidence of trespass, theft and vandalism, disturbance of livestock by dogs and people, introduction of plant and animal pests and diseases harmful to agricultural uses, increased potential for fire on dry farm and grazing lands, and competition for available water resources.

The LUO contains a number of location and setback standards to separate existing residential areas and uses from potentially incompatible agricultural uses such as feedlots, poultry ranches, or hog farms. In addition, the Board of Supervisors has adopted policies for establishing buffers between agricultural areas and non-agricultural development in order to minimize possible land use conflicts. A further modification to those policies should be considered that would include a provision for public disclosure that a buffer has been applied to a property as part of the county's approval of a discretionary land use permit. The disclosure would provide notice to prospective buyers and sellers that such a restriction applies.

Implementation:

1. The County Department of Agriculture shall review applications for land divisions, lot line adjustments, land use permits and proposed general plan amendments for consistency with the agricultural buffer policies adopted by the Board of Supervisors (see Appendix C).

Timeframe: Ongoing.

2. The Department of Planning and Building, the County Department of Agriculture, and agricultural industry groups should develop proposed amendments to the Agricultural Buffer Policy establishing a disclosure process (similar to that found in the Right-to-Farm Ordinance, Title 5 of the County Code) that would inform potential buyers and sellers of properties that, as part of the county's approval of a discretionary land use permit, an agricultural buffer has been applied to a property.

Timeframe: 24 months from plan adoption.

AGP24: Conversion of Agricultural Land.

- a. Discourage the conversion of agricultural lands to non-agricultural uses through the following actions:
 - 1. Work in cooperation with the incorporated cities, service districts, school districts, the County Department of Agriculture, the Agricultural Advisory

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Liaison Board, Farm Bureau, and affected community advisory groups to establish urban service and urban reserve lines and village reserve lines that will protect agricultural land and will stabilize agriculture at the urban fringe.

- 2. Establish clear criteria in this plan and the Land Use Element for changing the designation of land from Agriculture to non-agricultural designations.
- 3. Avoid land redesignation (rezoning) that would create new rural residential development outside the urban and village reserve lines.
- 4. Avoid locating new public facilities outside urban and village reserve lines unless they serve a rural function or there is no feasible alternative location within the urban and village reserve lines.

Discussion: The purpose of this policy is twofold: to protect agricultural land at the urban fringe by limiting the expansion of urban development; and to discourage urban/suburban sprawl by preventing "leapfrog" development into the agricultural areas of the county.

Agricultural land is often converted to other uses for a variety of reasons, including: urban growth pressures, rising land values and speculation, competition between urban and agricultural uses, the desirability of large-lot rural homesites, subdivision of agricultural properties into parcels too small to sustain agricultural uses, piecemeal LUE amendments to non-agricultural land use categories, and a lack of policies that clearly define under what circumstances agricultural lands should be converted to other uses and land use designations in the general plan. This conversion of agricultural land has the potential to seriously erode the long-term protection of agricultural resources.

Even with the strong Williamson Act program in the county, there has been pressure to convert agricultural lands to other non-agricultural uses. Since adoption of the LUE in 1980, over 3,000 acres of land have been rezoned from the Agriculture category to non-agricultural land use categories in the unincorporated areas of the county.

Statistics from the state Department of Conservation's farmland mapping program show that in the period between 1984 and 1995 (the last year for which statistics are available), there was an overall decrease in agricultural land of about 14,800 acres. There was a net increase of Prime Farmland due to intensification (primarily irrigated vineyards); however, the net acreage of Farmland of Statewide Importance also declined by 783 acres.

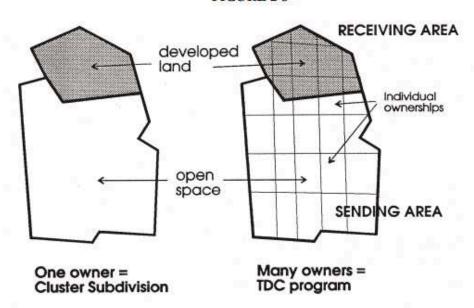
The LUE contains a number of general goals that focus on the environment, distribution of land uses, phasing of urban development, and the provision of public services and facilities. Consistent with those goals, specific criteria should be developed for when it may be appropriate to convert agricultural lands to other uses. The criteria should include, but not necessarily be limited to, the following:

- ** Do not expand existing urban or village areas until such areas are largely built-out, or until such time as additional land is needed to accommodate necessary uses or services that cannot otherwise be accommodated within the existing urban or village area.
- ** Urban or village expansion should occur only where contiguous to an existing urban/village reserve line, as shown in the concept diagram in Figure 2-5, or where an

entirely new urban or village area is needed in order to direct development away from surrounding agricultural or open space resources.

- ** Where urban expansion is to occur, it shall be annexed to an incorporated city or an existing community services district/county service area. The annexation shall occur only where the clustered development from rural property is to be located adjacent to the urban area, or when higher density development is to occur and where such development is consistent with resource and service capabilities and orderly extension of urban services.
- ** Where agricultural land is proposed for conversion to urban/suburban uses, give consideration to the protection of agricultural lands in the following priority order: row crop terrain and soils, specialty crops and forage lands, dry farm lands, and rangelands for grazing.
- ** Approve land for conversion from Agriculture to non-agriculture designations based upon a detailed site specific evaluation and consistency with the following findings:
 - a. the land does not meet the criteria for inclusion in the Agriculture designation in this plan or the Land Use Element; and
 - b. agricultural production is not feasible due to some physical constraint (such as soil infertility, lack of water resource, disease), or surrounding incompatible land uses; and
 - c. adjacent lands are already substantially developed with uses that are incompatible with agricultural uses; and
 - d. the conversion to non-agricultural uses shall not adversely affect existing or potential agricultural production on surrounding lands that will remain designated Agriculture; and
 - e. there is an over-riding public need for the conversion of the land that outweighs the need to protect the land for long-term agricultural use, such as the orderly expansion of an incorporated city or community.
- ** Approval of land conversions from agriculture to non-agricultural land uses will include a finding that the conversion will not materially reduce groundwater recharge.

FIGURE 2-5



Implementation:

- 1. In cooperation with the incorporated cities and service districts, consider the criteria described in the above discussion to develop policies and implementation measures that will provide for the protection of agricultural lands as well as appropriate urban expansion.
- 2. Based on the results from item #1 above, consider proposed amendments to Framework for Planning of the LUE that incorporates those policies and implementation measures into the guidelines for general plan amendments and revise the purpose and character statements for the Agriculture category so they are consistent with those criteria.

Timeframe: 24 months from plan adoption.

3. The Local Agency Formation Commission (LAFCO), in cooperation with the incorporated cities and service districts, should develop and adopt standards, criteria and procedures consistent with this plan and the LUE to be used in making decisions on proposed annexations and expansions of cities and service districts that may affect agricultural lands.

Timeframe: LAFCO adoption 18 months from adoption by the county of the criteria specified in item #1 above.

4. Refer proposed general plan amendment requests and proposed annexations and expansions of service districts to the County Department of Agriculture and affected community advisory groups whenever the proposal involves potential conversion of agricultural lands.

Timeframe: Ongoing.

AGP25: Unique or Sensitive Habitat.

- **a.** Encourage private landowners to protect and preserve unique or sensitive habitat.
- **b.** For new development requiring a discretionary permit and for proposed land divisions, protect unique or sensitive habitat affected by the proposal through the following measures:
 - 1. Site the proposed development so as to avoid significant impacts on the habitat or significant impacts on the agricultural operations. Provide for adjustments in project design where alternatives are infeasible, more environmentally damaging, or have a significant negative impact on agriculture.
 - 2. When significant impacts are identified, the landowner shall implement county-approved mitigation measures consistent with the existing requirements of CEOA.

Discussion: Consistent with the existing requirements of CEQA, the environmental review of discretionary permits on lands containing both agricultural and open space resources should make every effort to balance the mitigation of potential impacts on the open space resources with the needs of the agricultural operation so that both resources are equally protected. Early consultation with applicants can help define how the potential mitigation measures might affect the agricultural operation. In those instances where significant impacts on the open space resources are identified, county approved mitigation measures shall be implemented consistent with the existing requirements of CEQA.

Implementation/Timeline: On-going through CEQA review of discretionary projects.

OPEN SPACE RESOURCES

Policy OS 1.1 Future Open Space Protection

Continue to identify and protect open space resources with the following characteristics:

- Recreation areas
- Ecosystems and environmentally sensitive resources such as natural area preserves, streams and riparian vegetation, unique, sensitive habitat, natural communities; significant marine resources
- Archaeological, cultural, and historical resources
- Scenic areas
- Hazard areas
- Rural character

Implementation Strategy OS 1.1.1 Use of up-to-date science

Incorporate up-to-date scientific information and techniques into programs to identify, protect, and manage open space resources.

Policy OS 1.4 Retention of public lands for open space

Retain land in public ownership that has potential for recreation, wildlife habitat and management, conservation of ecosystems, water conservation, or scenic, historic, or other important open space purposes.

Implementation Strategy OS 1.4.1 Retention of public lands

Do not remove land from the public domain without careful study to determine its value to any government agency or the public.

Implementation Strategy OS 1.4.2 Acquisition and disposal of other public lands

Review and comment on new plans and policies such as those involving acquisitions and disposal of land proposed by federal, state, and local agencies and private conservation organizations. Refer major or controversial proposals to the Board of Supervisors.

Implementation Strategy OS 1.4.3 Disposal of public lands

Work with local, state, and federal agencies and conservation organizations to identify lands that are suitable for disposal and exchange. An inventory of these lands should be prepared for review by the Board of Supervisors to determine the appropriate course of action. The County should consider placing permanent agricultural or conservation easements on public lands prior to sale or transfer to public or private ownership.

Implementation Strategy OS 1.4.4 Land Use Element amendments for rural lands

Prepare proposed amendments to the purpose and character statements for the Open Space land use category in Framework for Planning of the Land Use Element to include all rural lands designated Multi-Use Public Lands that are not used or planned for active recreation or other intensive public uses.

Implementation Strategy OS 1.4.5 Land Use Element amendments for open space

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Prepare proposed amendments to the Land Use Element to change the land use category to Open Space where major land holdings are owned by conservation organizations for protecting open space resources.

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Policy OS 1.7 Open space resource protection

Protect open space resources by guiding development away from rural areas to more suitable areas.

Implementation Strategy OS 1.7.1 TDC program

Consider programs to better protect open space resources by guiding development away from rural areas to more suitable areas (e.g. land banking or TDC).

Policy OS 2.1 Open space management to protect, sustain and restore

Manage open space resources on public lands to protect, sustain, and, where necessary, restore the resources. Encourage such management strategies on private lands.

Policy OS 4.1 Define urban areas to prevent sprawl

Prevent urban sprawl by maintaining a well-defined boundary between urban/village boundaries and surrounding rural areas.

Policy OS 4.2 Maintain community separators

Maintain permanent separations between communities in order to retain the rural character of the county. (Also refer to the Community Separators section of Visual Resources Chapter.)

Implementation Strategy OS 4.2.1 Land Use Element Amendments:

RL designations Prepare proposed amendments to the purpose and character statement for the Rural Lands land use category in the Framework for Planning of the Land Use Element to state that the Rural Lands category is also applied near urban and village areas in order to maintain a clear distinction between urban/village and rural areas and to provide maximum flexibility and options in planning for future orderly growth in urban areas. Prepare public review draft amendments by the end of 2010.

ENERGY RESOURCES

Goal E1: The County will have an environmentally sustainable supply of energy for all county residents.

Goal E3: Energy efficiency and conservation will be promoted in both new and existing development.

EXHIBIT E

CITY'S GROWTH MANAGEMENT POLICIES: LAND USE ELEMENT

Land Use Element Growth Management Policies and Programs

Policy 1.1. Overall Intent

Policy 1.2. Urban Separation

Policy 1.3. Build-out Capacity

Policy 1.4. Urban Edges Character

Policy 1.5. Jobs/Housing Relationship

Policy 1.6. Regional Planning

Policy 1.7. City Size and Expansion

Policy 1.8. Greenbelt

Policy 1.9. Prime Agricultural Land

Policy 1.10. Residential Clustering for Open Space Protection

Policy 1.11. Growth Rates & Phasing

Policy 1.12. Educational and Government Facilities

Policy 1.13. Annexation and Services

Program 1.14. Countywide Planning

GROWTH MANAGEMENT



As part of the General Plan Update, integrating the concept of sustainability was an important aspect of the State grant. In reviewing the General Plan, a number of sustainability practices were already included in the General Plan. For existing and new policies and programs that support sustainability, this icon is shown at the end of the policy / programs title. See Policy 1.1.1, below, as an example.

POLICIES

1.1. **Overall Intent**

1.1.1. Growth Management Objectives



The City shall manage its growth so that:

- A. The natural environment and air quality will be protected.
- B. The relatively high level of services enjoyed by City residents is maintained or enhanced.
- C. The demand for municipal services does not outpace their availability.
- D. New residents can be assimilated without disrupting the community's social fabric, safety, or established neighborhoods.
- E. Residents' opportunities for direct participation in City government and their sense of community can continue.

Development Capacity and Services 1.1.2.



The City shall not designate more land for urban uses than its resources can be expected to support.

1.2. **Urban Separation**

Broad, undeveloped open spaces should separate the City from nearby urban areas. This element establishes a final edge for urban development.

1.3. **Build-out Capacity**

There should not be major expansion of the urban reserve line because the urban reserve provides adequate capacity for new housing and employment up to the City's desired maximum. This element seeks to establish an ultimate population capacity.

1.4. **Urban Edges Character**

The City shall maintain a clear boundary between San Luis Obispo's urban development and surrounding open land. Development just inside the boundary shall provide measures to avoid a starkappearing edge between buildings in the city and adjacent open land. Such measures may include: using new or existing groves or windrows of trees, or hills or other landforms, to set the edge of development; increasing the required side-yard and rear-yard setbacks; and providing open space or agricultural transition buffers.

1.5. Jobs/Housing Relationship

The gap between housing demand (due to more jobs and college enrollment) and supply should not increase.

1.6. **Regional Planning**

The City shall encourage regional planning and growth management throughout the county, and in cooperation with neighboring counties and the State.

1.7. City Size and Expansion

1.7.1. Urban Reserve

The City shall maintain an urban reserve line containing the area around the city where urban development might occur (Figure 3, Land Use Diagram).

Urban uses within this line should only be developed if consistent with City-approved plans. Nonurban agricultural, open space, and wildlife corridor uses are also encouraged within the urban reserve, as interim or permanent uses shown on City-approved plans.

1.7.2. Expansion Areas

The City shall designate expansion areas adequate for growth consistent with these policies within the urban reserve line (Figure 3, Land Use Diagram).

1.7.3. Interim Uses

Expansion areas should be kept in agriculture, compatible with agricultural support services, or open-space uses until urban development occurs, unless a City-approved specific plan provides for other interim uses.

1.8. Greenbelt

(See also Section 6, Resource Protection)

1.8.1. Open Space Protection



Within the City's planning area and outside the urban reserve line, undeveloped land should be kept open. Prime agricultural land, productive agricultural land, and potentially productive agricultural land shall be protected for farming. Scenic lands, sensitive wildlife habitat, and undeveloped prime agricultural land shall be permanently protected as open space.

1.8.2. Greenbelt Uses

Appropriate greenbelt uses include: watershed; wildlife habitat; grazing; cultivated crops; parks and outdoor recreation (with minimal land or landscape alteration, building, lighting, paving, or use of vehicles, so rural character is maintained); and home sites surrounded by land of sufficient size and appropriately located with respect to topography and vegetation to maintain the open character.

1.8.3. **Commercial Uses in Greenbelt**

The City shall not allow commercial development within the greenbelt area unless it is clearly incidental to and supportive of agriculture or other open space uses.

1.8.4. **Parcel Sizes and Density**

The City shall discourage the County from creating new parcels within the greenbelt, with the exception of those permitted under Policy 1.10. Outside of clusters, allowed parcel sizes within the greenbelt should be no less than 10 acres and preferably 20 acres or larger.

1.8.5. **Building Design and Siting**

All new buildings and structures should be subordinate to and in harmony with the surrounding landscape. The City should encourage County adoption of regulations prohibiting new structures

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on ridge lines or in other visually prominent or environmentally sensitive locations, and allowing transfer of development rights from one parcel to another in order to facilitate this policy.

Wildlife Habitat 1.8.6.



The City shall ensure that continuous wildlife habitat – including corridors free of human disruption - are preserved, and, where necessary, created.

1.8.7. **Trees Outside City Limits**

The City shall preserve significant trees, particularly native species, outside its limits and in the greenbelt on lands owned or leased by the City or for which the City has an easement. For other areas in the greenbelt, the City will work with the County, Cal Poly, and other public agencies to protect these trees.

1.9. Prime Agricultural Land

1.9.1. Agricultural Protection



The City shall support preservation of economically viable agricultural operations and land within the urban reserve and city limits. The City should provide for the continuation of farming through steps such as provision of appropriate general plan designations and zoning.

1.9.2. Prime Agricultural Land



The City may allow development on prime agricultural land if the development contributes to the protection of agricultural land in the urban reserve or greenbelt by one or more of the following methods, or an equally effective method: acting as a receiver site for transfer of development credit from prime agricultural land of equal quantity; securing for the City or for a suitable land conservation organization open space or agricultural easements or fee ownership with deed restrictions; helping to directly fund the acquisition of fee ownership or open space easements by the City or a suitable land conservation organization. Development of small parcels which are essentially surrounded by urbanization need not contribute to agricultural land protection.

1.10. **Residential Clustering for Open Space Protection**

1.10.1. Parcel Sizes



In the greenbelt, the City may allow, and the City shall encourage the County to allow, smaller parcel sizes only when:

- A. All new dwellings will be clustered contiguously;
- B. At least 90% of the site area is permanently protected as open space;
- C. Agricultural easements are placed on prime agricultural lands outside the cluster.

1.10.2. Means of Protection



The City shall require that open space be preserved either by dedication of permanent easements or transfer of fee ownership to the City, the County, or a responsible, nonprofit conservation organization.

1.10.3. Public Access

Areas preserved for open space should include public trail access, controlled to protect the natural resources, to assure reasonable security and privacy of dwellings, and to allow continuing agricultural operations. Public access through production agricultural land will not be considered, unless the owner agrees.

1.10.4. Design Standards

The City shall require cluster development to:

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- A. Be screened from public views by land forms or vegetation, but not at the expense of habitat. If the visually screened locations contain sensitive habitats or unique resources as defined in the Conservation and Open Space Element, development should be avoided in those areas and instead designed to cluster in the form of vernacular farm building complexes, to blend into the traditional agricultural working landscape.
- B. Be located on other than prime agricultural land and be situated to allow continued agricultural use;
- C. Prohibit building sites and roads within stream corridors and other wetlands, on ridge lines, rock outcrops, or visually prominent or steep hillsides, or other sensitive habitats or unique resources as defined in the Conservation and Open Space Element.
- D. Preserve historic or archaeological resources.

1.11. Growth Rates & Phasing

1.11.1. Overall Intent

The City shall manage the city's growth rate to provide for the balanced evolution of the community and the gradual assimilation of new residents. Growth must be consistent with the City's ability to provide resources and services and with State and City requirements for protecting the environment, the economy, and open space.

1.11.2. Residential Growth Rate

The City shall manage the growth of the city's housing supply so that it does not exceed one percent per year, on average, based on thresholds established by Land Use Element Table 3, excluding dwellings affordable to residents with extremely low, very low or low incomes as defined by the Housing Element. This rate of growth may continue so long as the City's basic service capacity is assured. Table 3 shows the approximate number of dwellings and residents which would result from the one percent maximum average annual growth rate over the planning period. Approved specific plan areas may develop in accordance with the phasing schedule adopted by each specific plan provided thresholds established by Table 3 are not exceeded. The City Council shall review the rate of growth on an annual basis in conjunction with the General Plan annual report to ensure consistency with the City's gradual assimilation policy.

Table 3. One Percent City Population Growth Projection

Year	Approximate Maximum Number of Dwellings*	Anticipated Number of People
2013	20,697	45,541
2015	21,113	46,456
2020	22,190	48,826
2025	23,322	51,317
2030	24,512	53,934
2035	25,762	56,686
Estimated urban reserve capacity:		57,200

^{* 2013} population based on CA Department of Finance data and projected based on 1% annual growth.

1.11.3. Phasing Residential Expansions

Before a residential expansion area is developed, the City must have adopted a specific plan or a development plan for it. Such plans for residential expansion projects will provide for phased development, consistent with the population growth outlined in Table 3, and taking into account expected infill residential development.

1.11.4. Nonresidential Growth Rate

Each year, the City Council shall evaluate the actual increase in nonresidential floor area over the preceding five years. The Council shall consider establishing limits for the rate of nonresidential development if the increase in nonresidential floor area for any five-year period exceeds five percent. Any limits so established shall not apply to:

- A. Changed operations or employment levels, or relocation or ownership change, of any business existing within the City at the time the limit is set;
- B. Additional nonresidential floor area within the Downtown core (Figure 4);
- C. Public agencies; and
- D. Manufacturing, light industrial, research businesses, or companies providing a significant number of head of household jobs.

1.12. Educational and Governmental Facilities Near the City

1.12.1. Overall Policy

The City shall continue to communicate with nearby government and educational institutions to address proposed changes in numbers of workers, students, or inmates that have the potential to result in significant adverse land use or circulation impacts on the City or may negatively influence the City's ability to manage growth.

1.12.2. Cal Poly

The City shall encourage Cal Poly not to change its 2001 Master Plan enrollment targets in a way that would exceed campus and community resources. The City shall encourage Cal Poly to provide additional on-campus housing, enhanced transit service, and other measures to minimize impacts of campus commuting and enrollment. Cal Poly should actively engage the community during updates or amendments to the Campus Master Plan and fully mitigate impacts to the City, including environmental and quality of life impacts to nearby neighborhoods.

1.12.3. California Men's Colony

The City shall continue to communicate and cooperate with the California Men's Colony (CMC) to identify resource constraints and to avoid adverse impacts of increased inmate population.

1.12.4. Cuesta Community College

The City supports Cuesta College's efforts to offer courses at satellite campuses, on-line courses, and enhanced transit service to avoid housing and commuting impacts of increasing enrollment at Cuesta College.

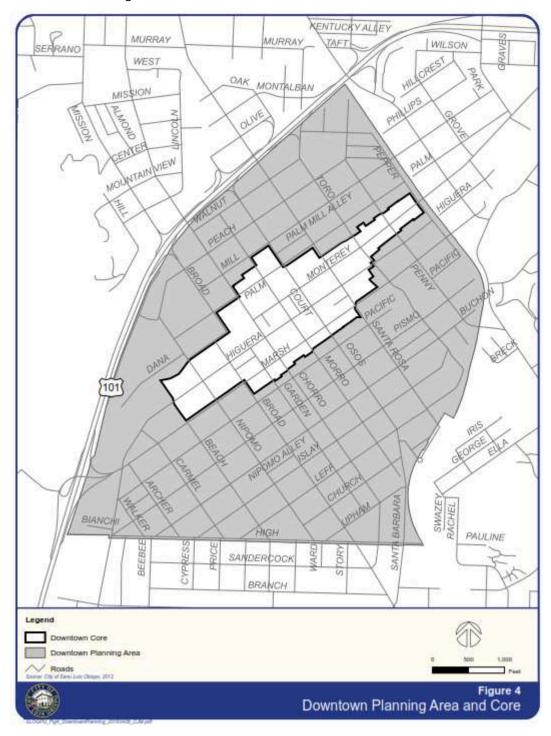
1.13. Annexation and Services

1.13.1. Water and Sewer Service

The City shall not provide nor permit delivery of City potable water or sewer services to the following areas. However, the City will serve those parties having valid previous connections or contracts with the City.

- A. Outside the City limits;
- B. Outside the urban reserve line;
- C. Above elevations reliably served by gravity-flow in the City water system;
- D. Below elevations reliably served by gravity-flow or pumps in the City sewer system.

Figure 4. Downtown Planning Area and Core



1.13.2. Recycled Water

Provision of recycled water outside of City limits may only be considered in compliance with Water and Wastewater Element Policy A 7.3.4 and the following findings:

- A. Non-potable/recycled water is necessary to support continued agricultural operations.
- B. Provision of non-potable/recycled water will not be used to increase development potential of property being served.
- C. Non-potable/recycled water will not be further treated to make it potable.
- D. Prior to provision of non-potable/recycled water, the property to be served will record a conservation, open space, Williamson Act, or other easement instrument to maintain the area being served in agriculture and open space while recycled water is being provided.

1.13.3. Annexation Purpose and Timing

The City may use annexation as a growth management tool, both to enable appropriate urban development and to protect open space. Areas within the urban reserve line which are to be developed with urban uses should be annexed before urban development occurs. The City may annex an area long before such development is to occur, and the City may annex areas which are to remain permanently as open space. An area may be annexed in phases, consistent with the city-approved specific plan or development plan for the area. Phasing of annexation and development will reflect topography, needed capital facilities and funding, open space objectives, and existing and proposed land uses and roads.

1.13.4. Annexation of Cal Poly

The City should analyze the cost/benefits of annexing Cal Poly.

1.13.5. Annexation in Airport Area

Properties in the Airport Area Specific Plan may only be annexed if they meet the following criteria:

- A. The property is contiguous to the existing city limits; and
- B. The property is within the existing urban reserve line; and
- C. The property is located near to existing infrastructure; and
- D. Existing infrastructure capacity is available to serve the proposed development; and
- E. A development plan for the property belonging to the applicant(s) accompanies the application for annexation; and
- F. The applicant(s) agree to contribute to the cost of preparing the specific plan and constructing area-wide infrastructure improvements according to a cost -sharing plan maintained by the City.

1.13.6. Required Plans

The City shall not allow development of any newly annexed private land until the City has adopted a specific or development plan for land uses, open space protection, roads, utilities, the overall pattern of subdivision, and financing of public facilities for the area.

1.13.7. Development and Services

The City shall approve development in newly annexed areas only when adequate City services can be provided for that development, without reducing the level of public services or increasing the cost of services for existing development and for build-out within the City limits.

1.13.8. Open Space

The City shall require that each annexation help secure permanent protection for areas designated Open Space, and for the habitat types and wildlife corridors within the annexation area that are identified in the Conservation and Open Space Element. Properties, which are both along the urban reserve line and on hillsides, shall dedicate land or easements for about four times the area to be developed (developed area includes building lots, roads, parking and other paved areas, and setbacks required by zoning). (See also Policy 6.4 and Policies 6.4.1 – 6.4.7). The following standards shall apply to the indicated areas:

- A. Airport Area Specific Plan properties shall secure protection for any on-site resources as identified in the Conservation and Open Space Element. These properties, to help maintain the greenbelt, shall also secure open space protection for any contiguous, commonly owned land outside the urban reserve. If it is not feasible to directly obtain protection for such land, fees in lieu of dedication shall be paid when the property is developed, to help secure the greenbelt in the area south of the City's southerly urban reserve line.
- B. San Luis Ranch property (outside the city limit and generally bounded by Highway 101 and Madonna Road) shall dedicate land or easements for approximately one-half of the ownership that is to be preserved as open space.
- C. Foothill Annexation: The northern portion of the Foothill property, and the creek area shall be annexed as open space. Development on this site should be clustered or located near Foothill Boulevard, with the northern portion of the site and creek area preserved as open space.

1.13.9. Costs of Growth

The City shall require the costs of public facilities and services needed for new development be borne by the new development, unless the community chooses to help pay the costs for a certain development to obtain community-wide benefits. The City shall consider a range of options for financing measures so that new development pays its fair share of costs of new services and facilities which are required to serve the project and which are reasonably related to the new growth attributable to the development.

1.13.10. Solid Waste Capacity

In addition to other requirements for adequate resources and services prior to development, the City shall require that adequate solid waste disposal capacity exists before granting any discretionary land use approval which would increase solid waste generation.

1.13.11. Plans Summary

The City will shall provide information to SLOCOG so that it can maintain a current summary of the land use plans of all agencies in the county, showing areas designated for urban, rural, and open-space uses, and tabulating the capacities for various kinds of uses.

1.13.12. Regional Growth Management

The City shall advocate a regional growth-management program, which should include:

- A. Population growth no faster than the statewide average growth rate for the preceding year, and no faster than can be sustained by available resources and services, whichever is less.
- B. No significant deterioration in air quality, due to development activities for which local government has approval.
- C. Plans for large residential developments to include a range of housing types to provide opportunities for residents with very low, low, or moderate incomes.

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D. Voter approval for any significant change from Open Space, Agriculture, or Residential Rural designations to another designation.

PROGRAMS

See also Section 12, Implementation

1.14. Countywide Planning

1.14.1. County "RMS"

The City will monitor reports from the County "resource management system" and advocate adherence to that system's principle of assuring that there will be adequate resources and environmental protection before development is approved.

1.14.2. Regular Coordination Meetings

The City shall advocate and help arrange quarterly coordination meetings among planning directors of local jurisdictions in San Luis Obispo County, SLOCOG, LAFCO, Cal Poly, and APCD to discuss regional issues.

1.14.3. Project Review

The City will continue to participate with the County in reviewing and providing input on County projects and general plan amendments that have the potential to impact the City or be inconsistent with City policies. Significant issues will be referred to the Planning Commission and/or City Council.

1.14.4. Consistent Plans

The City shall seek County Board of Supervisors approval amending the County Land Use Element to make it consistent with this element within San Luis Obispo's planning area. The City will work with the County during updates of the County's plan for the San Luis Obispo planning area.

1.14.5. City-County Agreement

The City shall maintain a memorandum of understanding with the County, pledging that neither agency will approve a substantial amendment to its plan for San Luis Obispo's planning area without carefully considering the comment and recommendation of the other agency. The key feature of the memorandum would be the City's acceptance of the planned amount of growth and the County's agreement to not allow urban development within the planning area but outside the City.

1.14.6. Refined Planning Area Map

The City shall prepare and maintain a Planning Area Map in the General Plan. The City will seek to establish and maintain County concurrence for the map, which applies to the City's Planning Area outside the urban reserve, including the City's sphere of influence. The map will show:

- A. Areas to be kept in permanent open space, including scenic lands, sensitive wildlife habitat, and undeveloped prime agricultural land.
- B. Existing uses other than open space, relatively far from the City's urban reserve line, which may be maintained but which should not be expanded or made more intense, including institutional uses such as California Men's Colony, Camp San Luis Obispo, and Cuesta College, and scattered residential and commercial developments.
- C. Existing uses other than open space which may be considered for inclusion within the urban reserve line during the ten-year updates of this element, such as nearby groups of rural homesites.

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D. Any existing uses other than open space which should be changed, relocated, or removed to allow restoration of the natural landscape or agricultural uses.

1.14.7. Maintain Development Fee Program

The City shall maintain a development fee program that covers the costs associated with serving projects with City services and facilities. This maintenance will include periodic review of the fees collected to ensure they are adequate to cover City costs.